



# **BY LAWS**

OF THE

**MUNICIPAL COUNCIL.**

OF THE

**COLBORNE DISTRICT,**



**PORT HOPE,**

PRINTED BY WILLIAM FURBY.

**1842.**

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**BY LAWS**  
**OF THE MUNICIPAL COUNCIL**  
OF THE  
***Colborne District.***

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No. 1

**A BY LAW FOR DEFINING THE DUTIES OF COLLECTORS IN  
THE COLBORNE DISTRICT.**

Passed Feb. 10th 1842.

Sanctioned March, 26th 1842.

**Be it enacted by the District Council of the District of Colborne, that the collectors of the several Townships within the District of Colborne shall collect all the rates as set forth in the assessment roll, and shall pay over the same, and also finally settle their accounts with the Treasurer of the said District on or before the second Monday of February in the year after their appointment.**

**And be it further enacted by the authority aforesaid, that the Collectors who shall not have so settled their accounts as aforesaid, shall not be eligible to be elected to any Township office at the next Township meeting, and shall also be proceeded against for the recovery of the amount then due for the year of their Collectorship as pointed out in the 1st Victoria Cap. 21. Sec. 38.**

G. A. HILL  
Warden.

N. 2

**A BY LAW TO DEFINE THE DUTIES OF THE DISTRICT SURVEYOR.**

Passed February 11th 1842.

Sanctioned March 26th 1842.

**Be it enacted by the District Council of the Colborne District, that no application to the District Sur-**

veyor for the laying out of, alteration in, or amendment of any new or existing road or Bridge, or stopping up any road shall be entertained by the said District Surveyor unless signed by at least Twelve Freeholders, residing in the neighbourhood of the Road or Bridge to which such application relates.

And be it further enacted by the authority aforesaid that all applications made as hereinbefore mentioned to the Council or District Surveyor shall be reported upon by the said Surveyor to the next Quarterly Session of the Council, and that it shall be the duty of the said Surveyor to cause a Copy of his said report to be put up in three of the most public places in the neighbourhood of the Roads or Bridges applied for as before mentioned, at least eight days before the sitting of the said Council.

And be it further enacted by the authority aforesaid, that all roads surveyed under the authority of the Council, shall be opened by cutting away all Brushwood in the line of the said roads, marking the growing timber there adjacent, and where no such timber exists to mark the same by a line of pickets, and also that a good and sufficient post or monument shall be planted at each angle of the said roads, and that such line shall be run on the most Northern or Easternly side of such road.

And be it further enacted by the authority aforesaid, that when any road or roads shall be surveyed, upon application to the District Surveyor by Twelve Freeholders, and the laying out of such road shall not be confirmed by this Council, that then and in such case the expense of such survey shall be paid by the party or parties so applying for the same as aforesaid.

G. A. HILL  
Warden.

## No. 3

**A BY LAW TO DETERMINE THE AMOUNT PAYABLE FOR STATUTE LABOR.**

Passed February 11th, 1842.

Sanctioned March 26th, 1842.

**Be it enacted by the District Council of the District of Colborne, that all persons assessed for statute labor shall be permitted to commute for the same by paying Two Shillings and Six pence for each day's labor.**

**And be it further enacted by the authority aforesaid, that when any person is desirous to commute for his statute labor, he shall pay his commutation money in full to the Overseer of Highways for the Division to which he belongs, on or before the 1st day of May in the year for which he desires to commute.**

**And be it further enacted by the authority aforesaid, that it shall be lawful for the Overseers of Highways, and they are hereby required to lay out all commutation money which they may receive within the time prescribed by Law for the performance of road work.**

**And be it further enacted by the authority aforesaid that no person shall be obliged to commute for his Statute Labor.**

G. A. HILL  
Warden.

## No. 4

**A BY LAW TO AUTHORIZE THE BUILDING OF A SCHOOL HOUSE. IN THE 10th SCHOOL DIVISION OF THE TOWNSHIP OF EMILY.**

Passed February 12th 1842.

Sanctioned March 26th 1842.

**WHEREAS it is expedient to build a School House in the Tenth School Division of the Township of Emily, there being none at present within the same.**

**Be it therefore enacted by the authority of the District Council of the Colborne District, that the sum of**

Fifteen pounds currency shall be raised from School Division number Ten in the Township of Emily for the purpose of erecting a School House within the said School Division.

And be it further enacted by the authority aforesaid, that the inhabitants of the said School Division number Ten shall pay upon all rateable property within the said School Division (Land not excepted) the sum of one penny in the pound for the purpose herein before mentioned.

And be it further enacted by the authority aforesaid that the Clerk of the Peace shall and is hereby directed to divide and apportion the sum of money so to be raised in pursuance of this act, and to make out an assessment roll for the said School Division, & transmit a certified copy thereof to the Collector of the said Township of Emily in the same manner as the said Clerk of the Peace is directed to make out and transmit a certified copy of the assessment roll of the said Township to the said Collector for the general purposes of the said District; and that the said Collector of the Township of Emily shall have a like power of collecting this rate as he now has for collecting the rates for District purposes.

G. A. HILL  
Warden.

### No. 5.

#### A BY LAW TO PROVIDE FOR THE PAYMENT OF DISTRICT OFFICERS.

Passed February 12th 1842.

Sanctioned March 26th 1842.

WHEREAS it is necessary to determine the amount and manner and time of payment, of all salaries or other remuneration of District officers appointed under the Municipal Act.

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**Be it therefore enacted by the Municipal Council of the District of Colborne, that the Salary of the Warden be Twenty pounds per annum. That the Salary of the Clerk to the Council be affixed at Forty Pounds per annum until the funds of the District can allow of a more ample remuneration: That the Auditors be allowed Five pounds each, and also all reasonable expenses incurred in travelling or otherwise.**

**That the District Surveyor be paid eight shillings and ninepence per day during the time he is actually employed. That all the aforementioned salaries be paid the respective officers quarterly, by an order on the Treasurer signed by the chairman of the Finance Committee.**

**Be it also enacted that the Treasurer shall be entitled to a Fee of One Shilling for every inspection of his Books or Accounts.**

G. A. HILL  
Warden.

#### No. 6

#### A BY LAW TO PROVIDE FOR THE PAYMENT OF TOWNSHIP OFFICERS.

Passed February 12th 1842.

Sanctioned March 26th 1842.

**Whereas it is necessary to provide for the amount of Salary, Fees or Emoluments to be received by the several Township Officers within the limits of the District of Colborne.**

**Be it therefore enacted by the Municipal Council of the District of Colborne, that the salary allowed town clerks be affixed at the sum of Three Pounds per annum to be paid at the adjournment of the Council in February, by an order on the Treasurer signed by the District Councillor of each Township, Provided Always, that this do not apply to the clerk for Belmont.**

Be it enacted that the salary allowed the clerk for the Township of Belmnot be for the present affixed at the sum of one pound per annum, to be paid in the same manner and time as the clerks of other Townships.

Be it also enacted that until the amount of school assessments is decided upon the collectors of Townships be allowed the same per centage and upon the same scale as when under the control of the Quarter Sessions.

Be it also enacted that the collectors shall be subject to the same fine for refusal of office and that the conditions of their Bond be the same as when under the control of the Quarter Sessions.

Be it also enacted that the Assessors' Fees be on the same scale as when under the control of the Quarter Sessions.

G. A. HILL  
Warden.

No. 7

A BY LAW TO DETERMINE THE PENALTIES ON PERSONS NEGLECTING OR REFUSING TO QUALIFY OR SERVE AS MUNICIPAL COUNCILLORS.

Passed February 12th 1842.  
Sanctioned March 26th 1842.

Whereas it is necessary to impose a Fine for persons refusing the office of District Councillor or neglecting to take and subscribe the Oaths.

Be it therefore enacted by the Municipal Council of the District of Colborne, that the fine to be imposed on persons neglecting the office of District Councillor or neglecting or refusing to take and subscribe the oaths prescribed by the Municipal Act be not more than Ten Pounds or less than Five shillings according to the discretion of the Warden and Council.

G. A. HILL  
Warden.

## No. 8

**A BY LAW FOR ESTABLISHING A ROAD FROM HUNTER STREET TO BROCK STREET IN THE TOWN OF PETERBORO'.**

Passed May 14th 1842.

Sanctioned June 20th 1842.

Whereas Thomas J. Dennehy, Road Surveyor by his report in writing, reciting that at the first meeting of the Municipal Council for this District, a petition had been presented for a new line of street running between Lots Numbers four and five of the block north of Hunter street and east of Water Street and between Hunter street and Brock street in the Town of Peterboro' and that the committee on roads and bridges had reported favorably to the said District Council of the said road and that he the said Thomas J. Dennehy had been directed to examine and lay out the said road did report, that it appeared to him that such street would be very desirable to be adopted, in as much as that it was the easiest line of road to the Court House, and the most convenient for the eastern part of the town of Peterborough, and that such street should lie along the eastern side of the Episcopal Church property in Peterborough aforesaid, and did recommend that such road should be sixty six feet wide.

And Whereas it appears to the said Council just and right that such road should be opened as in the said report is recommended.

Be it therefore enacted by the District Council of the district of Colborne, and it is hereby enacted by the authority of the same, That a public highway or road be established on Lots number five in the said block between Hunter street and Brock street, and east of Water street, the said road lying and being as follows, that is to say commencing at the north east corner of

the Church lot, being number four south of Brock street then running south to Hunter street, five chains and eighty links, then east sixty six feet, then north to Brock street, then West along Brock street sixty six feet to the place of beginning; & that it shall & may be lawful for the path-master of the division in which the said road is situated, to apply statute labor for the opening thereof, and that from henceforth the said road shall be a public highway.

G. A. HILL  
Warden.

No. 9

A BY LAW TO EMPOWER THE SCHOOL COMMISSIONERS OF MARIPOSA AND OTHER TOWNSHIPS IN THE COL-BORNE DISTRICT, TO MAKE CERTAIN SCHOOL DIVISIONS, AND TO AMEND THE BY LAW OF LAST SESSION WITH RESPECT TO THE SAME, AND FOR OTHER PURPOSES THEREIN MENTIONED.

Passed May 14<sup>th</sup>, 1842.

Sanctioned June 20<sup>th</sup> 1842.

Be it enacted by the District Council of the Colborne District, and by the authority of the same that the School commissioners for the Township of Mariposa be empowered to make the School divisions or form the school districts for that township, which divisions when so made, shall upon receiving the sanction of the District Councillor for the said Township be considered and be final, and so entered upon the Journals.

And be it further enacted, that Lots Numbers five, six and seven in the fifth and sixth concessions of the Township of Eldon be taken from the School district number five of that Township, and added to the school district number one, and also that the portion of the township of Mariposa now annexed to the said township of Eldon be taken from the said township of Eldon and placed under the orders of the school commissioners of Mariposa.

And be it further enacted that the first, second, third and fourth concessions of the Township of Verulam north of Sturgeon Lake and south of the road leading from Bohcaygeon to Fenelon Falls be formed into a school district number three.

And be it further enacted that the East half of lot number twenty in the third concession, and the whole of numbers eighteen, nineteen and twenty, in the fourth concession of the township of Asphodel be attached to school district number one of the Township of Dummer and considered as part of that division.

And be it further enacted that the school districts numbers one and two of the Township of Verulam be exempted from the school assessments; provided always that such divisions or school districts receive no part of the Government school fund.

And be it further enacted that the following alterations in the divisions or school districts for the Township of Otonabee made at the last Session of the council be adopted that is to say that the west half of lot sixteen in the fifth concession and the east half of lot number sixteen in the sixth concession be added to the school district number Two; and that the first line between the Townships of Otonabee and Asphodel be added to the Asphodel School district adjoining; and that the School district number three of the said Township of Otonabee shall be bounded by the fifth concession of the said Township from lot number Twenty five to the Boundary line, instead of the line bounded by the river Otonabee; and that the School district number five and six for the said Township of Otonabee shall be united and form but one district, its southern Boundary being lot number seventeen in the concession; and that Lots number seventeen in the

seventh and eighth concession and the west half of number seventeen in the sixth concession of Otonabee be added to the school district number four in the said Township; and also that, that part of the thirteenth concession south of the Otonabee river be added to the School District number Eight; and that the School District number Ten have its Division on the East, Bounded by the the thirteenth concession line of Otonabee aforesaid.

And be it further enacted that the School Districts for the Township of Douro be amended and divided as follows, that is to say, that the School District number one shall be bounded on the south by the Township line of Otonabee, on the north by the ninth side line of the eighth Concession to the river Otonabee, on the East by the seventh and eigth concession lines and on the West by the river Otonabee; That the School District number Two for the said Township of Douro shall be bounded on the South by the Township line of Otonabee on the north by the side line of the fifth concession, on the east by the fourth concession line, and on the West by the Eighth Concession line; That the School District number Three of the said Township of Douro shall be bounded on the south by the fourth and fifth side lines of the fifth sixth and seventh concessions, on the north by the Twelfth and thirteenth side lines of the fifth, sixth and seventh concessions, on the east by the fifth concession line, and on the West by the eighth concession line; that the School District number four of the said Township of Douro shall be bounded on the south by the eighth and ninth side lines of the third fourth and fifth concessions, on the north by the fifteenth and sixteenth side lines on the fourth and fifth concessions, on the east by the third and fourth concession lines, & on the west by the fith concession line; that the School District number five of

the said township of Douro shall be bounded on the south by the Otonabee Township line, on the north by the seventh and eighth side lines of the first second third and fourth concessions, on the east by the Township line of Dummer, and on the West by the fourth and fifth concession line; That the School District number six for the said township of Douro shall be bounded on the south by the ninth and tenth side lines of the first second and third concessions, on the east by the Township line of Dummer and on the west by the third and fourth concession lines; and that the School District number seven of the said Township of Douro shall be bounded on the south by the Otonabee township line, on the north by the sixth line of the first concession, on the East by the Dummer Township line, and on the West by the second Concession line across the third side Line to the third concession line across the second side line to the fourth concession line.

And be it further enacted that a discretionary power be given to the School Commissioners for the Townships of Emily and Ops to make a new arrangement as to the School District on the Boundary lines between those Townships, and that any such new arrangements if sanctioned by the Councillors for those Townships, shall be considered and be final, and entered upon the Journals.

And be it further enacted that the north halves of Lots numbers fifteen and sixteen in the third Concession Lots numbers fifteen and sixteen in the fourth Concession and the West half of Lot number fifteen and Lot number Ten in the fifth concession of Emily shall not belong to the school District number Eleven, and the said Township of Emily and that lot number sixteen in the sixth Concession of Emily shall not belong to the School District number Ten of the said Township of Emily.

And be it further enacted that the School Districts for the Township of Monaghan be amended and divided as follows, that is to say, that the School District of the said Township of Monaghan number one shall be bounded on the East by the river Otonabee, on the South by the Eleventh Concession line, on the West by the West line of the tenth lot and on the north taking in the south side of Simcoe Street, then due West; That the School District number Two for the said Township of Monaghan shall be bounded on the East by the river Otonabee on the South taking in the North side of Simcoe Street then due West, on the West by the West line of the North Lot and on the North by the centre of the first concession of Smith; that the School District number three of the said Township of Monaghan shall be bounded on the East by the West line of the ninth lot in the thirteenth concession of Monaghan and first concession of Smith on the south by the centre of the twelfth concession of Monaghan, on the West by the Boundary line and on the north by the centre of the first concession of Smith; that the School District number four shall be bounded on the East by the West line of the lots number nine in the ninth, tenth, eleventh, and twelfth Concessions, on the south including the settlers on the north end of the ninth concession, on the West by the Boundary line and on the North by the centre of the twelfth Concession and that the School District number five of the said township of Monaghan shall be bounded on the east by the river Otonabee on the south by the District line, on the West by the Boundary line and on the north including all the settlers on the south and of the ninth concession.

G. A. HILL  
Warden,

## No. 10.

**A BY LAW TO DEFINE THE DUTIES OF THE DISTRICT CLERK RELATIVE TO SCHOOL ASSESSMENTS.**

Passed May 14th 1842.

Sanctioned June 20th, 1842.

Be it enacted by the District Council of the Colborne District, that the District Clerk make out, divide and apportion in each respective School division in this district the several dividends or quotas, which each person is liable to pay for the support and maintenance of Common Schools under and in accordance with the act of the Provincial Parliament passed in the 4th and 5th years of the reign of Her Majesty Queen Victoria.

**Chapter 18.**

And be it further enacted by the authority aforesaid, that the said district Clerk shall furnish a certified copy of such assessment rolls to the respective Collectors for each and every Township, and such certified copy shall be such said Collectors sufficient warrant and authority to collect the same.

G. A. HILL  
Warden.

## N. 11

**A BY LAW TO DETERMINE THE SALARY OF THE DISTRICT CLERK.**

Passed May 14th, 1842.

Sanctioned June 20th, 1842.

WHEREAS it is necessary more effectually to determine the amount of Salary to be paid to the district Clerk.

Be it therefore enacted by the Municipal Council of the Colborne District that the Salary of the District Clerk be affixed at Seventy Five pounds per annum to be paid Quarterly on the First days of January, April, July, and October in each year out of the General funds of the district.

And be it also enacted by the authority aforesaid that so much of a By Law passed in the First Session of the First year of this Council entitled "A By Law to provide for the payment of district officers," as relates to the Salary of the district Clerk be and is hereby repealed.

G. A. HILL  
Warden.

No. 12

A BY LAW TO REPEAL THE BY LAW PASSED BY THE DISTRICT COUNCIL ON THE 11th FEBRUARY, AND SANCTIONED ON THE 22nd MARCH NOW LAST RELATING TO THE DUTIES OF THE DISTRICT SURVEYOR AND TO MAKE OTHER PROVISIONS IN LIEU THEREOF.

Passed May 14th 1842.

Sanctioned June 20th 1842.

WHEREAS during the last Session of this Council a By Law to define the duties of the district Surveyor was passed on the eleventh day of February last and sanctioned on the twenty second day of March and Whereas no district Surveyor has been appointed and some of the provisions in the said law contained are inconvenient and tend to an unprofitable employment of the time of the Council, therefore.

Be it enacted by the district Council of the district of Colborne that the said above mentioned By Law so passed on the eleventh day of February now last, relating to the duties of the district Surveyor and every matter and thing therein contained be and the same is hereby repealed.

And be it further enacted that no application for the surveying, laying out, altering or amending of any new or existing road or Bridge, or stopping up any road, shall be received or entertained by this Council unless previous application signed by at least twelve freeholders

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residing in the neighbourhood of such road or Bridge shall have been made in writing to the road surveyor of this district, and

Be it further enacted that all such applications to be made as hereinbefore mentioned shall be reported upon to the then next Session of this Council and that it shall be the duty of the said surveyor to cause a copy of his said report to be put up in three of the most public places in the neighbourhood of the Road or Bridge applied for, at least eight days before the then next session of the Council, and

Be it further enacted that when any road or roads shall be surveyed under the authority of this By Law, and the allowance of the same shall not be confirmed by this Council, then and in such cases the expense of such survey shall be paid by the parties or party so applying for the same, and

Be it further enacted that the amount of Salary or wages to be allowed to the road surveyors of this District be seven shillings and six pence per Day for every Day they are employed on the survey of roads or otherwise in pursuance of this By Law.

G. A. HILL  
Warden.

No. 13

**A BY LAW TO AUTHORIZE A LOAN IN MANNER THEREIN  
MENTIONED.**

Passed May 14th, 1842.

Sanctioned June 20th 1842.

**WHEREAS** it is expedient and necessary to raise the sum of Seven Hundred pounds for the use of this District upon the security of the General Funds of the same, therefore

Be it enacted That it shall and may be lawful for the Treasurer of this District to treat with any person or persons for the raising by Loan, on the credit of the General Funds of this District, so many and such sums not less than one Hundred Pounds each, as shall not exceed in the whole the said sum of seven hundred pounds, at Interest not exceeding six per cent per annum; and on condition that the principal shall be redeemed at the expiration of three years, and

Be it further enacted that it shall be lawful for the Treasurer of this District to issue Debentures for the money so borrowed in sums of not less than One Hundred Pounds each, and which Debentures shall be signed by the said Treasurer and that each Debenture shall express upon the face of it the principal sum of money and the rate of Interest payable thereon and the time at which the said Debentures respecting shall be redeemable and,

Be it further enacted that all such Debentures and the Interest thereon, and all charges incident to and attending the same, shall be and are hereby charged and chargeable upon, and shall be repaid and borne out of, the monies which shall come into the hands of the Treasurer of this District for the time being, to and for the uses of the same, and the Interest upon such Debentures respectively shall and may be demandable in half yearly periods computing from the date thereof.

G. A. HILL  
Warden.

No. 14.

A BY LAW RELATING TO THE DISTRICT CLERK.

Passed May 14th 1842.

Sanctioned June 20th, 1842.

WHEREAS it is expedient that that the Duties of

the District Clerk should be more perfectly defined in relation to the services lately performed by the Clerk of the Peace, under the direction of the Court of Quarter Sessions, in matters now transferred from the Magistrates to the District Council.

Be it therefore enacted by the municipal Council of the Colborne District, that the District Clerk shall in addition to the Duties and Services required by the Acts 4th and 5th Victoria, Chapters 10 and 18 or arising threfrom, perform all the Duties heretofore performed by the Clerk of the Peace in all matters and things now placed under the control of the District Council.

And be it further enacted by the authority aforesaid, that the several assessment rolls shall be handed over by the Clerk of the Peace to the District Clerk at least three weeks previous to the Session of the Council in May in each year, in order that the District Clerk may lay before the Council at its second session in each year the aggregate amount of the assessed property in the District, Provided always that nothing in this By Law shall be interpreted to mean that the Clerk of the Council shall be entitled to any fee or emolument for performing any of the duties now performed by the Clerk of the Peace.

G. A. HILL  
Warden..

### No. 15

**A BY LAW TO MAKE TEMPORARY PROVISION FOR THE SUPPORT OF SCHOOL MASTERS AND FOR THE ERECTION OF SCHOOL HOUSES AND FOR OTHER PURPOSES THEREIN MENTIONED.**

Passed May 14th, 1842.

Sanctioned June 20th, 1842.

**WHEREAS** it is necessary to raise a sum of money by assessment on the Inhabitants of the several school

Districts in the District of Colborne, for the purpose of making a temporary provision for the Schoolmasters, and for Building and erecting School Houses, and for other purposes herein mentioned, therefore

Be it enacted by the authority of the Council of the District of Colborne, that for the purpose of making a temporary provision for the support of school masters for each School district for the current year, the sum of eighteen pounds six shillings be raised in each and every school District of the Townships in the Colborne District (with the exception of School Districts numbers One and Two in the Township of Verulam) by an equal assessment on the Inhabitants of each respective school District, and

Be it further enacted that the following sums be raised on the Inhabitants of the Township of Smith in each respective School district in that Township for the erection of School houses and providing them with firewood and furniture, that is to say, the sum of Two pounds ten shillings in School district number One; Two pounds ten shillings in School district number Two; Five pounds nineteen shillings and sixpence in School district number Three; Seven pounds ten shillings in School district number Four; Thirty Two pounds ten shillings in School District number Five; Two pounds ten shillings in School district number six; Two pounds ten shillings in School district number Seven; Two pounds ten shillings in School district number Eight; and twenty five pounds in School district number nine, and

Be it further enacted that the following sums be raised by assessment on the Inhabitants of the Township of Monaghan in each respective School district for the

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erection of School Houses and providing them with firewood and furniture, that is to say, the sum of Fifty pounds for Building a School House and the further sum of Two pounds ten shillings for providing the same with firewood and furniture in School district number one; The sum of Fifty pounds for Building a School House and the further sum of Two pounds ten shillings for providing the same with firewood and furniture in School district number Two; and the sum of seven pounds five shillings for School district number four; and Ten pounds five shillings for School district number Five for firewood and furniture in the two last mentioned School districts, and

Be it further enacted that the sum of Twenty Two pounds be raised by assessment on the Inhabitants of the School district number Two in the Township of Ennismore, for the purpose of Building a School House therein, and providing the same with firewood and furniture.

G. A. HILL  
Warden.